

**ASSEMBLY BILL**

**No. 2355**

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**Introduced by Assembly Member Negrete McLeod  
(Coauthors: Assembly Members Chavez and Pavley)**

February 23, 2006

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An act to amend Section 21008 of the Government Code, relating to public employees' retirement.

LEGISLATIVE COUNSEL'S DIGEST

AB 2355, as introduced, Negrete McLeod. Public employees' retirement: service credit: California State University academic employees.

The Public Employees' Retirement Law prescribes the rights and benefits of the members of the Public Employees' Retirement System and provides for the membership of academic employees of the California State University. The law provides that members of the system who are excused from their duties, and who are compensated during these times at amounts less than full compensation, receive reduced service credit for that period, as specified. The law permits these members, upon return and election, to receive full service credit for these periods if they make contributions in an amount equal to the increase in employer liability, as specified, on the date of the request for costing of the service credit.

This bill would permit a member who is an academic employee of the California State University to receive full service credit for the times the member is excused from his or her duties, as described above, by making specified contributions based on the employer's formula at the rate age applicable to the member at the beginning of the member's first subsequent period of service, as specified, and not on the increase in employer liability.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 21008 of the Government Code is  
2 amended to read:  
3 21008. (a) Time during which a member is excused from  
4 performance of his or her duties, whether or not he or she is  
5 required to perform any portion of those duties during that time,  
6 and for which he or she receives compensation, but in an amount  
7 less than the full compensation earnable by him or her while  
8 performing his or her duties when not so excused, such as  
9 sabbatical leave, shall be credited as service in the proportion that  
10 the compensation paid to the member bears to the full  
11 compensation that would be earnable by him or her while  
12 performing his or her duties on a full-time basis. ~~However,~~  
13 (b) *Except as provided in subdivision (c), the member shall*  
14 *receive full-time credit for the time described in subdivision (a)*  
15 *if after returning to the employment from which he or she was*  
16 *excused and at any time prior to retirement he or she elects to,*  
17 *and does, make the contributions as specified in Sections 21050*  
18 *and 21052. However, any eligible member who requests costing*  
19 *of service credit between January 1, 2001, and December 31,*  
20 *2003, may, instead of making those contributions, make the*  
21 *payment calculated under this article as it read on December 31,*  
22 *2000, which payment shall be made in the manner described in*  
23 *Section 21050.*  
24 (c) *A member who is an academic employee of the California*  
25 *State University shall receive full-time credit for the time*  
26 *described in subdivision (a) if after returning to the employment*  
27 *from which he or she was excused, and at any time prior to*  
28 *retirement he or she elects to, and does, make the contributions*  
29 *as specified in Sections 21050 and 21051.*